

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1265 be amended to read as follows:

- 1 Page 4, delete line 41, begin a new paragraph and insert:
- 2 **"(c) The state Medicaid program may not participate in the**
- 3 **program under this chapter."**
- 4 Page 5, between lines 1 and 2, begin a new paragraph and insert:
- 5 **"Sec. 7. The program may not include the purchase of**
- 6 **prescription drugs obtained from a country other than the United**
- 7 **States.**
- 8 **Sec. 8. (a) Participation in the program by a pharmaceutical**
- 9 **manufacturer is voluntary.**
- 10 **(b) The state may not:**
- 11 **(1) require prior authorization for a prescription drug in the**
- 12 **state Medicaid program under IC 12-15; or**
- 13 **(2) otherwise penalize a pharmaceutical manufacturer;**
- 14 **because the pharmaceutical manufacturer is not participating in**
- 15 **the program.**
- 16 **Sec. 9. Any information, including prescription drug prices and**
- 17 **discounts, provided to the state under this chapter is confidential**
- 18 **and is exempt from disclosure under IC 5-14-3.**
- 19 **Sec. 10. A drug store may negotiate prescription drug prices**
- 20 **and discounts with a pharmaceutical manufacturer to participate**
- 21 **in the program. "**

1 Page 5, line 2, delete "7." and insert "11."

2 Page 5, line 10, delete "residents." and insert "**residents covered**
3 **under this chapter.**

4 **Sec. 2. The state Medicaid program may not participate in a**
5 **program entered into under this chapter.**

6 **Sec. 3. (a) The program described in this chapter may not**
7 **include the purchase of prescription drugs obtained from a**
8 **country other than the United States.**

9 **(b) The state may not participate in a program described in this**
10 **chapter that:**

11 **(1) requires prior authorization of a prescription drug in the**
12 **state Medicaid program under IC 12-15; or**

13 **(2) otherwise penalizes a pharmaceutical manufacturer;**
14 **because a pharmaceutical manufacturer does not participate in**
15 **the program.**

16 **Sec. 4. Any information, including prescription drug prices and**
17 **discounts, provided under this chapter is confidential and is**
18 **exempt from disclosure under IC 5-14-3."**

19 Page 5, line 27, delete "feasibility" and insert "**feasibility, costs, and**
20 **legal parameters**".

(Reference is to HB 1265 as printed January 30, 2004.)

Representative Kersey